

REMARKS

The amendments above and the remarks below are in response to an Office Action mailed on June 4, 2007 in the above-listed patent application. In the Office Action, Claims 6-8, 11 and 14-16 were rejected under 35 U.S.C. 102(b) over U.S. Patent No. 4,425,908 to Simon (“Simon”).

Simon discloses a filter 10, including a first and second filter baskets 16, 18, supported on the end of a guide wire 80 within a catheter tube 58, as shown in Figure 2. Figures 3, 4 and 13 of Simon show the guide wire 80 being urged toward the distal end of the catheter tube 58 and pushing the filter 10 out of the end of the catheter tube 58. Upon exiting the catheter tube, the filter 10 expands into the basket shapes.

In contrast, the sleeve of one embodiment of the present invention can be unrolled (like a condom) to restrain the struts of a filter. For example, as shown in Figure 15, filter sleeve 908 is disposed circumferentially, in a rolled-up configuration, about a distal end of cannula 10 and is attached to four control lines 902a, 902b, 904a and 904b. A proximal force on the control lines 904a and 904b unrolls the filter sleeve 908 into its cylindrical configuration of Figure 16.

Simon, and the remaining cited references, do not appear to teach or suggest a sleeve adapted to unroll to apply a restraining force to a plurality of struts of a filter only a rigid catheter tube. Independent Claim 6 has been amended to clarify that the sleeve is adapted to unroll to apply the restraining force to the filter struts. Independent Claim 11 has been amended to refer to the rolling means disclosed in the present specification for applying the restraining force to the actuating member. The remaining Claims 7-8 and 14-16 depend from, and further patentably distinguish, independent Claims 6 and 11. The rejection of the pending claims under 35 U.S.C. 102(b) has therefore been overcome.

Conclusion

In view of the remarks and amendments presented above, it is respectfully submitted that the pending Claims 6-8, 11 and 14-16 of the present invention are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is

requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

If an appropriate payment does not accompany or precede this submission, the Commissioner is hereby authorized to charge any required fees, such as under 37 C.F.R. §§ 1.16 or 1.17, including any petition for extension of time, or to credit any overpayment, to Deposit Account No. 50-1225 (RMI-5707CIP4CON6).

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